

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**BRANDON CALLIER,**

**Plaintiff,**

**V.**

**ETHOS TECHNOLOGIES, INC. a/k/a  
ETHOS LIFE INSURANCE SERVICES,  
a Delaware Corporation,**

**Defendant.**

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**EP-22-CV-00412-FM**

## **FINAL JUDGMENT AND DISMISSAL**

Before the court is “Notice of Dismissal with Prejudice” [ECF No. 4], filed December 2, 2022, by Brandon Callier (“Plaintiff”). A plaintiff may voluntarily dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment,” the effect of which is dismissal without prejudice unless the notice states otherwise.<sup>1</sup> Defendant has not answered or moved for summary judgment. Accordingly:

1. It is **HEREBY ORDERED** that the cause is **DISMISSED WITH PREJUDICE**.
2. All pending motions, if any, are **DENIED AS MOOT**.
3. The Clerk of the Court is **INSTRUCTED** to **CLOSE** the cause.

**SIGNED AND ENTERED** this **13<sup>th</sup>** day of **February 2023**.

**FRANK MONTALVO**  
**UNITED STATES DISTRICT JUDGE**

<sup>1</sup> Fed. R. Civ. P. 41(a)(1).